

**APROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**February 22, 2007 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:32 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Grace Chewning
Gerald Ames
Jay Ammon
Stewart Fritz
Larry Lawver (arrived at 1:35 p.m.)

Members Excused: Bill Fahey, Vice Chair

Present & Sworn: Derek L. Hutley, Respondent, 07-09-CEB & 07-16-CEB
Miguel A. Cortes, Respondent, 07-11-CEB
Arthur N. Lamb, Jr., Respondent, 07-14-CEB
John M. Masotti, Respondent, 07-17-CEB
Melida R. Velazquez, Respondent, 07-19-CEB
Bonni L. Segrest, Respondent, 05-37-CEB
Jared Martinez, Respondent, 06-31-CEB
John Brooks, Respondent, 05-09-CEB
Steve Danaher (for Deborah Danaher, deceased)
Respondent, 05-47-CEB
German Baez, Respondent, 06-87-CEB
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Pamela Taylor Code Enforcement Officer, SCSO
Jerry Robertson, Code Enforcement Officer, SCSO
Joann Davids-Tamulonis, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO

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Others Present: Dan Mantzaris, Code Enforcement Board Attorney
Connie R. DeVasto, Clerk to the Code Enforcement Board

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IV Swearing in of Witnesses

Dionne Hutley, Wife of Respondent, 07-09-CEB
Cheryl Lamb, Wife of Respondent, 07-14-CEB
Paula Santana, Translator for Respondent, 07-19-CEB
Steve Asby, Boyfriend of Respondent, 05-37-CEB

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V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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The following cases will not be heard today:

Success Today, 00-67-CEB, Continued by Staff
Wayne Wilhelm, Jr., 06-83-CEB, Complied Prior to Hearing
Amy Crowley & Cornelius Sless, 07-06-CEB, Complied Prior to Hearing
Horis Mack, 07-10-CEB, Complied Prior to Hearing
Leonel Sanchez, Jr., 07-15-CEB, Complied Prior to Hearing
Melissa M. Parker, 07-18-CEB, Complied Prior to Hearing

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 07-09-CEB
Derek L. Hutley
Code Enforcement Officer: Dorothy Hird

New Case

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1350 and Chapter 30, Section 30.763 (m).
Described as: 1) No trucks having a rated load limit of more than two tons or having more than two axles may be parked/stored in a residential area.
2) Parking or storage of a semi-tractor, trailers and cargo trailer boxes on C-2 zoned property is not permitted.
Location: 617 Plum Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-503-0000-0720

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County, and entered into evidence photographs of the violations. Officer Hird further testified that she inspected the property this morning and the violations remain.

Officer Hird stated that recommendation would be to comply by February 23, 2007 with a fine of \$250.00 per day if the violations continue or are repeated past February 23, 2007.

Derek and Dionne Hutley, Respondents, were present at this hearing and testified on their own behalf. Mr. Hutley testified that he understands the violation and will not park his trucks in that location again.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, SECONDED BY GRACE CHEWNING, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-09-CEB, it is determined that the Respondent is:

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- (a) the owner of record of the property (Tax Parcel ID # 07-21-30-503-0000-0720) located at 617 Plum Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 72 GRANADA SOUTH
PB 15 PG 100

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Section 30.1350 and Chapter 30, Section 30.763 (m).

It is hereby ordered that the Respondent shall correct the violations on or before **FEBRUARY 23, 2007**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) **CEASE AND DESIST THE PARKING/STORAGE OF TRUCKS HAVING A RATED LOAD LIMIT OF MORE THAN TWO TONS OR HAVING MORE THAN TWO AXLES IN A RESIDENTIAL AREA.**
- 2) **CEASE AND DESIST THE PARKING/STORAGE OF SEMI-TRACTOR, TRAILERS AND CARGO TRAILER BOXES ON C-2 ZONED PROPERTY.**

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **FEBRUARY 23, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Case No. 07-16-CEB
Derek L. Hutley
Deputy Building Official: Tom Helle

New Case

Violation Charged: Florida Building Code, Section 105.1.
Described as: 1) Enclosed carport without the required permits.
Location: 617 Plum Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-503-0000-0720

Tom Helle, Deputy Building Official, testified on behalf of the County, and entered into evidence photographs of the violation. Mr. Helle further testified that this enclosure happened in 2003 and the Respondent did not pull a permit at that time.

Mr. Helle stated that recommendation would be to comply by March 31, 2007 with a fine of \$150.00 per day if this violation continues or is repeated past March 31, 2007.

Derek L. and Dionne Hutley, Respondents, were present at this hearing and testified on their own behalf. Mr. Hutley advised the Board that he came in two week ago to apply for his permit but he is not sure if March gives him enough time to get the approved permit. Mr. Hutley suggested that May would give him more time.

Jay Ammon asked Tom Helle if this violation posed a safety issue to the citizens of the County.

Tom Helle advised that it did not.

After discussion of this case by the Board:

**MOTION BY GERALD AMES, SECONDED BY LARRY LAWVER, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-16-CEB, it is determined that the Respondent is:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

- (a) the owner of record of the property (Tax Parcel ID # 07-21-30-503-0000-0720) located at 617 Plum Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 72 GRANADA SOUTH
PB 15 PG 100

- (b) in possession or control of the property, and
(c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before **MAY 31, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) APPLY FOR AND OBTAIN THE NECESSARY PERMITS FOR THE CARPORT ENCLOSURE, OR RETURN THE CARPORT TO ITS ORIGINAL CONDITION.**

If the Respondent does not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **MAY 31, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Case No 05-09-CEB
John A. and Stephanie Brooks
Code Enforcement Officer: Dorothy Hird

The Board heard this case on October 24, 2006 and tabled the case to the January 25, 2007 hearing. This case was originally heard by the Board on January 27, 2005 and an Order was entered giving the Respondents a compliance date of December 31, 2005. At the request of the Respondents, on October 27, 2005, the Board extended their compliance date to April 1, 2006. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer on April 4, 2006. At that time, a re-inspection was not performed at the request of the Respondents. Again, at the request of the Respondents, on April 27, 2006, the Board extended their compliance date from April 1, 2006 to October 2, 2006. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer on October 12, 2006. At that time, a re-inspection was not performed due to the property being posted. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a lien in the amount of **\$8,625.00**, for 115 days of non-compliance from October 3, 2006 through and including January 25, 2007, at \$75.00 per day, and the fine shall continue to accrue at **\$75.00 per day** for each day the violations continue or are repeated past January 25, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g), (j), (l) and (p).

Described as:

- 1) The accumulation of trash and debris.
- 2) Used and/or scrapped building materials.
- 3) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
- 4) Objectionable/unsightly or unsanitary matter, substance or material.

Location: 890 Alberta Street, Longwood (Commission District 4)
Tax Parcel ID # 06-21-30-300-022A-0000

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that the violations remain. Officer Hird also reminded the Board that the Respondents have been granted several extensions to their original compliance date.

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John A. Brooks, Respondent, was present at this hearing and testified on his own behalf. Mr. Brooks advised the Board that he still has vehicles on his property because he is working with FEMA and other charitable organizations to provide two of his motorhomes to tornado victims.

Tom Hagood asked Mr. Brooks how many vehicles have been removed since January.

Mr. Brooks advised that he has not removed any vehicles.

Jay Ammon asked Mr. Brooks how long he thinks it will take him to remove the vehicles.

Mr. Brooks said he is working on it.

Stewart Fritz asked Mr. Brooks if any of the vehicles are drivable.

Mr. Brooks advised that one might be drivable.

Mr. Hagood asked Officer Hird how many inoperable vehicles remain.

Officer Hird stated that there are at least four.

Grace Chewning asked Officer Hird what is the status of the other violations listed.

Officer Hird stated that all violations remain on the property.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY LARRY LAWVER, TO TABLE THIS CASE TO THE MARCH HEARING.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – NO
LARRY LAWVER – YES**

MOTION CARRIED 5 – 1.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 07-11-CEB
Miguel A. and Moraima Cortes
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h) and (i).
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure.
2) The remains or rubble of a structure which has been burned, stricken by other casualty or demolished.
Location: 3611 Palm Ave., Apopka (Commission District 3)
Tax Parcel ID # 17-21-29-508-0000-0220

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis further testified that violation number one can be removed from this case and she only needs to address violation number two (the remains or rubble of a structure).

Officer Tamulonis further advised that the Building Division issued a stop work order and nothing has been done since.

Officer Tamulonis stated that recommendation would be to comply by April 5, 2007 with a fine of \$250.00 per day if the violation continues or is repeated past April 5, 2007.

Miguel A. Cortes, Respondent, was present at this hearing and testified on his own behalf. Mr. Cortes advised the Board that he had planned to rebuild the structure, but decided to have it demolished instead.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-11-CEB, it is determined that the Respondents are:

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- (a) the owners of record of the property (Tax Parcel ID # 17-21-29-508-0000-0220) located at 3611 Palm Avenue, Apopka, located in Seminole County and legally described as follows:

LEG LOT 22 MIRROR LAKE MANOR
PB 10 PG 46

- (b) in possession or control of the property, and
(c) in violation of Seminole County Code, Chapter 95, as defined in Section 95.3 (i).

It is hereby ordered that the Respondents shall correct the violation on or before **APRIL 5, 2007**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REMOVE THE REMAINS OR RUBBLE OF A STRUCTURE WHICH HAS BEEN BURNED, STRICKEN BY OTHER CASUALTY OR DEMOLISHED OR OBTAIN A BUILDING PERMIT TO RECONSTRUCT OR RAZE THE REMAINS OF THE STRUCTURE.**

If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **APRIL 5, 2007**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 07-14-CEB
Arthur N. Lamb, Jr.
Deputy Building Official: Tom Helle

New Case

Violation Charged: Florida Building Code, Section 105.1.
Described as: 1) Constructed screen enclosure without the required permits.
Location: 7138 Brookside Trail, Winter Park (Commission District 1)
Tax Parcel ID # 35-21-30-504-0000-0130

Tom Helle, Deputy Building Official, testified on behalf of the County and entered into evidence photographs of the violation. Mr. Helle further testified that the screen enclosure remains without the required permit.

Mr. Helle stated that recommendation would be to comply by April 31, 2007 with a fine of \$150.00 per day if the violation continues or is repeated past April 31, 2007.

Arthur N. Lamb, Jr., was present at this hearing and testified on his own behalf. Mr. Lamb advised the Board that this constructed was done by a contractor and the contractor did not pull the permit.

Tom Hagood asked Mr. Lamb if he thinks he can get the permit by April 30.

Mr. Lamb advised that he thinks he can.

Tom Helle stated that it might take more time to get the permit.

Larry Lawver asked Mr. Helle if he was opposed to giving Mr. Lamb more time.

Mr. Helle advised that he should be able to get the permit by the end of June.

Mr. Hagood asked Mr. Lamb if the end of June would give him enough time.

Mr. Lamb advised that it would.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-14-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 35-21-30-504-0000-0130) located at 7138 Brookside Trail, Winter Park, located in Seminole County and legally described as follows:

LEG LOT 13 REPLAT OF LOTS 1 2 & 3 BROOKSIDE SUB
PB 19 PG 85

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before **June 30, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) APPLY FOR AND OBTAIN THE NECESSARY PERMITS FOR THE SCREEN ENCLOSURE, OR REMOVE THE SCREEN ENCLOSURE.**

If the Respondent does not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **June 30, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 07-17-CEB
John M. Masotti
Deputy Building Official: Tom Helle

New Case

Violation Charged: Florida Building Code, Section 105.1.
Described as: 1) Changed A/C without the required permits.
Location: 100 Par Place, Lake Mary (Commission District 4)
Tax Parcel ID # 04-20-30-504-0000-0010

Tom Helle, Deputy Building Official, testified on behalf of the County and entered into evidence photographs of the violation. Mr. Helle further advised that the violation remains.

Mr. Helle stated that recommendation would be to comply by March 31, 2007 with a fine of \$150.00 per day if the violation continues or is repeated past March 31, 2007.

John M. Masotti, Respondent, was present at this hearing and testified on his own behalf. Mr. Masotti advised the Board that it was a rental home and was not aware of this violation and will take care of it as soon as possible.

After discussion of this case by the Board:

**MOTION BY GERALD AMES, SECONDED BY JAY AMMON, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-17-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 04-20-30-504-0000-0010) located at 100 Par Place, Lake Mary, located in Seminole County and legally described as follows:

LEG LOT 1 GREENBRIAR OF LOCH ARBOR 2ND SEC
PB 14 PG 23

- (b) in possession or control of the property, and
(c) in violation of Florida Building Code, Section 105.1.

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It is hereby ordered that the Respondent shall correct the violation on or before **March 31, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) APPLY FOR AND OBTAIN THE NECESSARY PERMITS
FOR THE CHANGE TO THE AIR CONDITIONING UNIT.**

If the Respondent does not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **March 31, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No. 07-19-CEB
Melida R. Velazquez
Deputy Building Official: Tom Helle

New Case

Violation Charged: Florida Building Code, Section 105.1.
Described as: 1) Installed fence without the required permits.
Location: 209 Eileen Dr., Altamonte Springs (Commission District 3)
Tax Parcel ID # 15-21-29-505-0000-0450

Tom Helle, Deputy Building Official, testified on behalf of the County and entered into evidence photographs of the violation. Mr. Helle further testified that the violation remains.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Mr. Helle stated that recommendation would be to comply by March 31, 2007 with a fine of \$150.00 per day if the violation continues or is repeated past March 31, 2007.

Melida R. Velazquez, Respondent, was present at this hearing and had a translator, Paula Santana, to speak on her behalf. Ms. Santana advised that Ms. Velazquez understands the nature of the violation and will take care of it.

Jay Ammon asked Mr. Helle if this is a long process.

Mr. Helle advised that it is not.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-19-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 15-21-29-505-0000-0450) located at 209 Eileen Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 45 SHADY OAKS
PB 11 PG 24

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before **MARCH 31, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) APPLY FOR AND OBTAIN THE NECESSARY PERMITS FOR THE INSTALLED FENCE OR REMOVE THE FENCE FROM THE PROPERTY.**

If the Respondent does not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **MARCH 31, 2007**.

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The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No 05-37-CEB
Bonni L. Segrest, new owner
Samuel D. Stewart, previous owner
Code Enforcement Officer: Jerry Robertson

This was a Special Request by the new owner, Bonni L. Segrest.

Background - on June 23, 2005, the Board heard this case and continued it for one year without making a determination. The Board heard this case on July 27, 2006 and an Order was entered. An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer after reinspection on August 28, 2006. An Affidavit of Compliance has been filed by the Code Enforcement Officer after reinspection on January 16, 2007. This property is presently in compliance with a total fine accrued in the amount of \$14,100.00, for 141 days of non-compliance, from August 28, 2006 through and including January 15, 2007 at \$100.00 per day.

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.102, 30.103, and 30.104.
Described as: 1) Mobile home with no special exception.
Location: 4053 Cypress Bend, Geneva (Commission District 5)
Tax Parcel ID # 23-19-32-300-002K-0000

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Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and gave the Board a brief history of this case.

Officer Robertson advised the Board that his costs for processing this case were \$222.53.

Bonni Segrest, Respondent, and her boyfriend, Steve Asby, were present at this hearing and testified on their own behalf. Ms. Segrest made a request of the Board to waive the accrued fine because they purchased the property from Mr. Samuel Stewart in November and they removed the trailer.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY LARRY LAWVER, THAT THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 23-19-32-300-002K-0000) located at 4053 Cypress Bend, Geneva, located in Seminole County and legally described as follows:

SEC 23 TWP 19S RGE 32E FROM SE COR GOVT
LOT 4 RUN N 958.51 FT W 164 FT N 265.61 FT N
07 DEG 20 MIN 54 SEC W 83.24 FT TO POB RUN S
07 DEG 20 MIN 54 SEC E 83.24 FT S 265.61 FT E
164 FT S 169.39 FT W 200 FT N 517.56 FT N 05 DEG
55 MIN 34 SEC E TO SHORE LINE SELY ALONG
SHORE LINE TO A PT N 11 DEG 51 MIN 08 SEC E OF
BEG S 11 DEG 51 MIN 08 SEC W TO BEG

This case came on for public hearing before the Code Enforcement Board of Seminole County on July 27, 2006, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Land Development Code, Chapter 30, Section 30.102, 30.103 and 30.104.

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by August 27, 2006.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on August 28, 2006.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained after reinspection on January 16, 2007.

Accordingly, it having been brought to the Board's attention that the Respondent has complied with the Findings of Fact, Conclusions of Law and Order dated July 27, 2006.

Therefore, the Board orders that the fine in the amount of **\$14,100.00**, for 141 days of non-compliance from August 28, 2006 through and including January 15, 2007, at \$100.00 per day, **be rescinded**.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

Gerald Ames asked what the legal issues are regarding the sale of a property that has a pending fine attached.

General discussion of this issue followed.

Gerald Ames asked Ms. Segrest if she was aware of the accruing fine.

Ms. Segrest advised that she was only aware that Mr. Stewart was appealing the Code Board's previous decision.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Case No. 06-31-CEB
Jared and Susan Martinez
Code Enforcement Officer: Joann D. Tamulonis

This was a Special Request made by the Respondents.

Background - this case was continued from the January meeting at the request of the Respondents as they were out of town. The Board originally heard this case on April 27, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on November 16, 2006. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on December 4, 1006. This property is presently in compliance with a total fine accrued in the amount of \$4,500.00, for 18 days of non-compliance from November 16, 2006, through and including December 3, 2006, at \$250.00 per day.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3 (g) (h) and (i)
Described as: 1) The remains of a structure/rubble, which have been burned, stricken by other casualty or demolished.
Location: 108 Spring Lake Lane, Altamonte Springs (Commission District 3)
Tax Parcel ID # 22-21-29-506-0J00-0170

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and advised the Board that the Respondents are requesting a reduction of their fine and she would not be opposed to their request.

Jared Martinez, Respondent, was present at this hearing and testified on his own behalf. Mr. Martinez made a request of the Board to waive his fine.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ, THAT
THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:**

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 22-21-29-506-0J00-0170) located at 108 Spring Lake Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 17 BLK J SPRING VALLEY FARMS SEC 8
PB 15 PG 50

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

This case came on for public hearing before the Code Enforcement Board of Seminole County on April 27, 2006, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h), and (i).

Said Order stated that a fine in the amount of \$250.00 per day, per violation, would be imposed if the Respondents did not take certain corrective action by May 15, 2006, for violations (g) and (h), and November 15, 2006 for violation (i).

An Affidavit of Partial Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action on violations (g) and (h) had been obtained after reinspection on May 23, 2006.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action on violation (i) had not been obtained after reinspection on November 16, 2006.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action on violation (i) had been obtained after reinspection on December 4, 2006.

Accordingly, it having been brought to the Board's attention that the Respondents have complied with the Findings of Fact, Conclusions of Law and Order dated April 27, 2006.

Therefore, the Board orders that the fine in the amount of **\$4,500.00**, for 18 days of non-compliance from November 16, 2006 through and including December 3, 2006, at \$250.00 per day, **be rescinded.**

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Case No 05-47-CEB
Deborah G. Danaher
Code Enforcement Officer: Joann D. Tamulonis

The Board originally heard this case on June 20, 2005 and an Order was entered. Compliance was obtained on June 29, 2005. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on November 7, 2006. The Board heard this case on December 14, 2006 and an Order was entered on this repeat violation. An Affidavit of Non-Compliance on a Repeat Violation has been filed by the Code Enforcement Officer after reinspection on December 26, 2006. An Affidavit of Compliance After Repeat Violation has been filed by the Code Enforcement Officer after reinspection on January 18, 2007. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$9,100.00**, for 26 days of non-compliance from December 23, 2006 through and including January 17, 2007, at \$350.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(o).
Described as: 1) All swimming pools shall be completely enclosed by permanent fencing.
Location: 524 Whisperwood Dr., Longwood (Commission District 3)
Tax Parcel ID # 33-20-29-510-0000-0070

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and advised the Board that the Respondent is in compliance at this time.

Steve Danaher, husband of the Respondent, was present at this hearing and testified on his own behalf. Mr. Danaher made a request of the Board to rescind his fine.

Jay Ammon asked Officer Tamulonis if she had calculated her costs for processing this case.

Officer Tamulonis advised that she had approximately three hours accrued for this case.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, SECONDED BY GERALD AMES, THAT THE
ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:**

**ORDER FINDING COMPLIANCE ON A REPEAT VIOLATION
AND IMPOSING FINE/LIEN**

The Respondent is the owner of record of the property (Tax Parcel ID # 33-20-29-510-0000-0070) located at 524 Whisperwood Drive, Longwood, located in Seminole County and legally described as follows:

LEG LOT 7 WHISPER WOOD AT SABAL POINT
PB 21 PGS 47 & 48

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 14, 2006, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order On A Repeat Violation.

Said Order found Respondent in repeat violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (o).

Said Order stated that a fine in the amount of \$350.00 per day would be imposed if the Respondent did not take certain corrective action by December 22, 2006.

Said Order further stated that this violation posed a serious threat to the safety, health and welfare of the residents of the County.

An Affidavit of Non-Compliance After Repeat Violation had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been taken after reinspection on December 26, 2006

An Affidavit of Compliance After Repeat Violation had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been taken after reinspection on January 18, 2007.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the Findings of Fact, Conclusions of Law and Order On a Repeat Violation dated December 14, 2006.

Therefore, the Board finds that the Respondent was in repeat violation and orders that the fine in the amount of **\$9,100.00**, for 26 days of non-compliance from December 23, 2006, through and including January 17, 2007, at \$350.00 per day, **be reduced to \$100.00.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

It is further ordered that the Respondent shall have **30 days** in which to pay the reduced fine of **\$100.00**. If the Respondent does not pay this amount on or before **MARCH 26, 2007**, the fine will revert to the original amount of \$9,100.00 and shall constitute a lien upon any real or personal property owned by the Respondent.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No. 06-87-CEB
German Baez
Senior Code Enforcement Officer: Deborah Leigh

The Board originally heard this case on December 14, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on December 22, 2006. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on January 19, 2007. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$7,000.00**, for 28 days of non-compliance from December 22, 2006, through and including January 18, 2007, at \$250.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (o).
Described as: 1) Swimming pool not completely enclosed by permanent fencing.
Location: 219 Tollgate Trail, Longwood (Commission District 4)
Tax Parcel ID # 36-20-29-502-0100-0340

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Deborah Leigh, Senior Code Officer, testified on behalf of the County and advised the Board that she is not opposed to the Board rescinding or waiving the fine as there was a communication problem with the Respondent.

German Baez, Respondent, was present at this hearing and testified on his own behalf. Mr. Baez made a request of the Board to waive his fine because he did not understand.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY JAY AMMON, THAT THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 36-20-29-502-0100-0340) located at 219 Tollgate Trail, Longwood, located in Seminole County and legally described as follows:

LEG LOT 34 BLK I THE WOODLANDS
PB 16 PG 3

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 14, 2006, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (o).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by December 21, 2006.

Said Order further stated that this violation posed a serious threat to the health, safety, and welfare of the citizens of Seminole County.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on December 22, 2006.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained after reinspection on January 19, 2007.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Accordingly, it having been brought to the Board's attention that the Respondent has complied with the Findings of Fact, Conclusions of Law and Order dated December 14, 2006.

Therefore, the Board orders that the fine in the amount of **\$7,000.00**, for 28 days of non-compliance from December 22, 2006, through and including January 18, 2007, at \$250.00 per day, **be rescinded**.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No. 05-84-CEB
Zoila Alburez
Oscar Alburez
Georgina Alburez
Code Enforcement Officer: Dorothy Hird

The Board continued this case from the December and January meetings. This is a repeat violation. The Board heard this case on October 27, 2005 and an Order was entered. On February 23, 2006, the Board reduced the fine from \$4,100.00 to \$150.00. The reduced fine was paid by the Respondents on March 21, 2006. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on October 3, 2006. This property is NOT in compliance at this time.

RECOMMENDATION: This fine has accrued to \$7,150.00, for 143 days of non-compliance, from October 3, 2006, through and including February 22, 2007, at \$50.00 per day. However, Staff recommends that the Board order a fine in the amount of **\$1,200.00**, which represents **24 days** of non-compliance at **\$50.00 per day** be imposed, which is the amount accumulated after the Orange County Sheriff's Office finished processing the vehicle. Further, the fine amount shall be increased to **\$100.00 per day** for each day the violation continues or is repeated after **February 22, 2007**. The Clerk shall record said Order in the Public Records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l)
Described as: 1) Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport
Location: 306 Lochmond Drive, Fern Park (Commission District 4)
Tax Parcel ID # 20-21-30-509-0000-0410

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that she did talk to the Orange County Detective on January 30 and he advised that he has taken the photographs of the vehicle.

Officer Hird further testified that she spoke with the Respondent and advised him that the photographs have been taken and he needs to move the vehicle. However, Officer Hird advised the Board that the vehicle remains on the property.

Officer Hird stated that recommendation would be to impose a fine in the amount of \$1,200.00, which represents the accumulated fine after the Orange County Sheriff's Office finished processing the vehicle. She further recommended that the daily fine be increased to \$100.00 per day if the violation continues or is repeated after today.

Zoila, Oscar and Georgina Alburez, Respondents, were not present at this hearing.

Gerald Ames asked Officer Hird if she had talked to Mr. Alburez today.

Officer Hird advised that she talked to him this morning prior to the hearing.

Motion by Gerald Ames, seconded by Jay Ammon, to begin the Respondents' fine starting today at \$50.00 per day.

General discussion of this case by the Board.

Jay Ammon asked Officer Hird if she knew if the Respondents were aware that the Orange County Sheriff's Officer had been to their property.

Officer Hird said that Mr. Alburez advised her that he did not know that.

Larry Lawver asked Officer Hird if the Orange County Detective claimed he told Mr. Alburez that he had taken the photographs.

Officer Hird stated the Detective advised her that he had left a message for him on his answering machine.

Larry Lawver made an amended motion to give the Respondents another 30 days and Grace Chewning seconded this motion.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Gerald Ames and Jay Ammon were opposed to the amended motion.

After additional discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A
REPEAT VIOLATION NOT IN COMPLIANCE BE:**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION NOT IN COMPLIANCE**

The Respondents are the owners of record of the property (Tax Parcel ID # 20-21-30-509-0000-0410) located at 306 Lochmond Drive, Fern Park, located in Seminole County and legally described as follows:

LEG LOT 41 HIGHLAND PINES UNIT 1
PB 14 PG 95

This case came on for public hearing before the Code Enforcement Board of Seminole County on the October 27, 2005 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by November 11, 2005. Compliance was obtained on February 2, 2006.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on October 3, 2006.

Based on the testimony and evidence presented, the Respondents are in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated October 27, 2005.

It is hereby ordered that the Respondents correct the violation on or before **MARCH 24, 2007**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REPAIR OR REMOVE THE JUNKED OR ABANDONED VEHICLE
OR PLACE VEHICLE IN AN ENCLOSED GARAGE OR AN
ATTACHED CARPORT.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

If the Respondents do not comply with the Order, a fine of **\$50.00 per day** will be imposed for each day the violation continues, or is repeated after compliance past **MARCH 24, 2007**.

Respondents are further ordered to contact the Seminole County Code Enforcement Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Enforcement Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the public records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – NO
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – NO
LARRY LAWVER – YES**

MOTION CARRIED 4 – 2.

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Case No. 07-04-CEB
Erick Cordero
Deputy Building Official: Tom Helle

New Case continued from the January meeting by the Board.

Violation Charged: Florida Building Code, Section 105.1.
Described as: 1) Enclosed carport without the required permits.
Location: 3562 Bougainvillea Dr., Winter Park (Commission District 1)
Tax Parcel ID # 34-21-30-506-1000-0020

Tom Helle, Deputy Building Official, testified on behalf of the County and entered into evidence photographs of the violation. Mr. Helle further testified that this property remains in violation.

Mr. Helle called Code Enforcement Officer Donna Wisniewski as a witness to the original condition of the property in 2002.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Officer Wisniewski testified that she observed this property in 2002 when the Code Officers were still employed by the Planning Division. She further testified that, when she first inspected this property, there was only a carport. When she reinspected the property, she observed the construction in progress. At that time, she turned the case over to the Building Division.

Mr. Helle stated that no permits have been issued for this property since 1989.

Mr. Helle stated that recommendation would be to comply by February 28, 2007, with a fine in the amount of \$150.00 per day if this violation continues or is repeated past February 28, 2007.

Erick Cordero, Respondent, was not present at this hearing.

Motion by Gerald Ames, seconded by Jay Ammon, to accept Staff's recommendation.

General discussion of using computer screen prints as evidence that a violation still exists.

At this time, Mr. Ames amended his motion to change the compliance date to June 30, 2007 and Mr. Ammon agreed with the amended motion.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY JAY AMMON, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-04-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 34-21-30-506-1000-0020) located at 3562 Bougainvillea Drive, Winter Park, located in Seminole County and legally described as follows:

LEG LOT 2 BLK 10 EASTBROOK SUBD UNIT 5
PB 12 PG 81

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

It is hereby ordered that the Respondent shall correct the violation on or before **JUNE 30, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) APPLY FOR AND OBTAIN THE NECESSARY PERMITS FOR THE CARPORT ENCLOSURE, OR REMOVE THE CARPORT ENCLOSURE.**

If the Respondent does not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **JUNE 30, 2007**.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No. 07-12-CEB
Manny's Chophouse, Inc.
Brea L. Tato, Registered Agent
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 65, Section 30.1245 (1) and (6).
Described as: 1) Recurring displays of prohibited signage.
Location: In the vicinity of 108 Markham Woods Rd, on public and private property (Commission District 3)

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis further testified that the prohibited signage continues.

Officer Tamulonis stated that recommendation would be to comply by March 5, 2007 with a fine in the amount of \$250.00 per day, per sign, (each sign being a separate violation) for each day this violation continues or is repeated past March 5, 2007.

Manny's Chophouse, Inc. and Brea L. Tato, Respondents, were not present at this hearing.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY JAY AMMON, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-12-CEB, it is determined that the Respondents are:

- (a) in possession and control of the unpermitted sign(s); and
- (b) in violation of Seminole County Land Development Code, Part 65, Chapter 30, Section 30.1245 (1) and (6).

It is hereby ordered that the Respondents correct the violations on or before **MARCH 5, 2007**. In order to correct the violations, the Respondents shall take the following remedial action:

1) CEASE THE DISPLAY OF PROHIBITED SIGNS.

If the Respondents do not comply with the Order, a fine of **\$250.00 per day, per violation, (each sign or similar display constitutes a separate violation)** will be imposed for each day the violations continue, or are repeated after compliance past **MARCH 5, 2007**.

The Respondents are further ordered to contact the Seminole County Code Enforcement Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Enforcement Officer inspects the property and verifies compliance with this Order.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No. 07-13-CEB
Terry G. and Rose E. Morley
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (e), (f), (g), (h), (j) and (h) and Seminole County Land Development Code, Chapter 30, Part 12, Section 30.202.

- Described as:
- 1) Unusable or abandoned furniture.
 - 2) Unusable or abandoned appliances.
 - 3) Trash and debris.
 - 4) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure.
 - 5) Used or scrap building materials.
 - 6) Junked or abandoned vehicles not being kept within an enclosed garage or an attached carport.
 - 7) The operation of a business or extension of a business is not a permitted use of R-1A zoned property.
 - 8) Outside storage is not a customary accessory use of the property zoned residential.

Location: 3427 Gleaves Ct., Apopka (Commission District 3)
Parcel I. D. # 18-21-29-502-0D00-0050

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations and a copy of the Respondent's occupational license for his business. Officer Tamulonis further stated that her last inspection was January 4, 2007.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Officer Tamulonis stated that recommendation would be to comply by March 12, 2007 with a fine of \$250.00 per day if these violations continue or are repeated past March 12, 2007.

Terry G. and Rose E. Morley, Respondents, were not present at this hearing.

Larry Lawver asked Officer Tamulonis what kind of business was being conducted at this property.

Officer Tamulonis stated that it is an appliance business.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-13-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 18-21-29-502-0D00-0050) located at 3427 Gleaves Court, Apopka, located in Seminole County and legally described as follows:
LEG LOT 5 BLK D GLEAVES SUBD
PB 8 PG 73
- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (e), (f), (g), (h), (j) and (l) and Seminole County Land Development Code, Chapter 30, Part 12, Section 30.202.

It is hereby ordered that the Respondents shall correct the violations on or before **MARCH 12, 2007**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE UNUSABLE OR ABANDONED FURNITURE.
- 2) REMOVE THE UNUSABLE OR ABANDONED APPLIANCES.
- 3) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.
- 4) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' OF A STRUCTURE.
- 5) REMOVE THE USED OR SCRAP BUILDING MATERIALS.
- 6) REPAIR, REMOVE, OR PLACE THE JUNKED OR ABANDONED VEHICLES IN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.
- 7) CEASE THE OPERATION OF A BUSINESS OR EXTENSION OF A BUSINESS THAT IS NOT A PERMITTED USE OF R-1A ZONED PROPERTY.

8) CEASE THE OUTSIDE STORAGE OF MATERIALS WHICH IS NOT A CUSTOMARY ACCESSORY USE OF THE PROPERTY ZONED RESIDENTIAL.

If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **MARCH 12, 2007**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

Stewart Fritz asked Officer Tamulonis how long this has been going on.

Officer Tamulonis advised that it has been going on for quite some time.

Jay Ammon asked Officer Tamulonis if she has had any response from the Respondents.

Officer Tamulonis advised that she has not.

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AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY JAY AMMON, SECONDED BY GERALD AMES, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Case No. 06-88-CEB
Jose Lozada and Omayra Lopez
Senior Code Enforcement Officer: Deborah Leigh

The Board originally heard this case on December 14, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on December 22, 2006. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$15,750.00**, for 63 days of non-compliance from December 22, 2006, through and including February 22, 2007, at \$250.00 per day, and the fine shall continue to accrue at **\$250.00 per day** for each day this violation continues or is repeated past February 22, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (o).
Described as: 1) Swimming pool not completely enclosed by permanent fencing.
Location: 1465 Shadwell Circle, Lake Mary (Commission District 5)
Tax Parcel ID # 12-20-29-5HG-0000-0170

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 12-20-29-5HG-0000-0170) located at 1465 Shadwell Circle, Lake Mary, located in Seminole County and legally described as follows:

LEG LOT 17 EAST CAMDEN
PB 30 PGS 87 TO 89

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 14, 2006, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (o).

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FEBRUARY 22, 2007

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action by December 21, 2006.

Said Order further stated that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on December 22, 2006.

Accordingly, it having been brought to the Board's attention that Respondents have not complied with the Order dated December 14, 2006, the Board orders that a **lien** in the amount of **\$15,750.00**, for 63 days of non-compliance at \$250.00 per day, from December 22, 2006, through and including February 22, 2007, be imposed, and the fine shall continue to accrue at **\$250.00** per day for each day the violation continues or is repeated past February 22, 2007.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

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Case No. 06-89-CEB
Phillip J. Brutus
Code Enforcement Officer: Dorothy Hird

The Board originally heard this case on December 14, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on January 8, 2007. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$3,600.00**, for 48 days of non-compliance from January 6, 2007, through and including February 22, 2007, at \$75.00 per day, and the fine shall continue to accrue at **\$75.00 per day** for each day this violation continues or is repeated past February 22, 2007. The Clerk shall record said Order in the Public Records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (h).
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure.
Location: 117 Ford Avenue, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-505-0D00-0080

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 07-21-30-505-0D00-0080) located at 117 Ford Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 8 BLK D HARMONY HOMES
PB 13 PG 35

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 14, 2006, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (h).

Said Order stated that a fine in the amount of \$75.00 per day would be imposed if the Respondent did not take certain corrective action by January 5, 2007.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on January 8, 2007.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated December 14, 2006, the Board orders that a **lien** in the amount of **\$3,600.00**, for 48 days of non-compliance at \$75.00 per day, from January 6, 2007, through and including February 22, 2007, be imposed, and the fine shall continue to accrue at **\$75.00** per day for each day the violation continues or is repeated past February 22, 2007.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Case No. 06-92-CEB
Leonardo Gimenez
Code Enforcement Officer: Dorothy Hird

The Board originally heard this case on December 14, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on January 8, 2007. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on January 29, 2007. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$2,300.00**, for 23 days of non-compliance from January 6, 2007, through and including January 28, 2007, at \$100.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (l).
Described as: 1) The accumulation of trash and debris.
2) Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport.
Location: 404 Pinewood Court, Fern Park (Commission District 4)
Tax Parcel ID # 19-21-30-503-0400-0030

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 19-21-30-503-0400-0030) located at 404 Pinewood Court, Fern Park, located in Seminole County and legally described as follows:

LEG LOT 3 BLK 4 LAKE RIDGE PARK
PB 9 PG 69

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 14, 2006, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (l).

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by January 5, 2007.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on January 8, 2007.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained after reinspection on January 29, 2007.

Accordingly, it having been brought to the Board's attention that the Respondent has complied with the Findings of Fact, Conclusions of Law and Order dated December 14, 2006.

Therefore, the Board orders that a **lien** in the amount of **\$2,300.00**, for 23 days of non-compliance from January 6, 2007, through and including January 28, 2007, at \$100.00 per day, be imposed against the property.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

Case No. 02-19-CEB
Willie B. Madison Heirs
C/O Hubert Madison NPAR
Code Enforcement Officer: Pamela Taylor

The Board heard the original case on February 28, 2002 and an Order was entered. Compliance on the original Order was obtained on March 25, 2002. On May 23, 2002, the Board reduced the accrued fine of \$400.00 to \$50.00. The Respondent paid the reduced amount. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on December 2, 2005. On January 26, 2006, the Board heard the repeat violation and an Order was entered. On August 24, 2006, the Board heard this case and an Order Finding Non-Compliance and Imposing Fine/Lien was entered. To-date, the lien totals \$41,950.00 and continues to accrue at \$100.00 per day until compliance is obtained. This property is NOT in compliance at this time.

RECOMMENDATION: Staff requests approval to forward this case to the County Attorney for review and approval to present to the Board of County Commissioners for foreclosure action.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g) and (h)
Described as: 1) The accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
Location: 2191 Granby Ave., Sanford (Commission District 5)
Tax Parcel ID # 32-19-31-300-032C-0000

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY JAY AMMON, TO AUTHORIZE THE CLERK TO FORWARD THIS FILE TO THE COUNTY ATTORNEY'S OFFICE FOR POSSIBLE FORECLOSURE ACTION.

TOM HAGOOD – YES	GRACE CHEWNING – YES
JAY AMMON – YES	GERALD AMES – YES
STEWART FRITZ – YES	LARRY LAWVER – YES

MOTION CARRIED 6 – 0.

VII Approval of the minutes from the meeting of January 25, 2007.

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, TO APPROVE THE MINUTES FROM THE MEETING OF JANUARY 25, 2007.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

VIII Confirmation date of next meeting: March 22, 2007

IX Old Business –

General discussion regarding the update on the cases listed on the agenda.

X New Business –

Election of Chair and Vice Chair:

The gavel was passed to the Clerk who opened the floor for nominations:

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, TO NOMINATE TOM HAGOOD AS CHAIRMAN OF THE CODE ENFORCEMENT BOARD.

Having no additional nominations, the Clerk closed the floor for discussion. There being no further discussion, this vote passed unanimously.

The gavel was passed to Tom Hagood, Chair, who opened the floor for nominations for Vice Chair.

MOTION BY STEWART FRITZ, SECONDED BY JAY AMMON, TO NOMINATE BILL FAHEY AS VICE CHAIR.

Having no additional nominations, the Chair closed the floor for discussion. There being no further discussion, this vote passed unanimously.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
FEBRUARY 22, 2007

XI Adjourn – There being no further discussion, this meeting was adjourned at 3:15 P.M.

Respectfully submitted:

**Connie R. DeVasto
Clerk to the Code Enforcement Board**

**Tom Hagood
Chair**

2-22-07 minutes